

PTO/SB/25(10-00)

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**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING SECOND APPLICATION**Docket Number (Optional)
F7534(V)

In re Application of: Bauer-Plank et al.
 Application No.: 09/848,988
 Filed: May 4, 2001
 For: Pourable Frying Composition

The owner*, Lipton, Division of Conopco, Inc., of 100% percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as presently shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 09/850,805, filed on May 8, 2001, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for an during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent; expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record.


 Signature

8/4/03
 Date

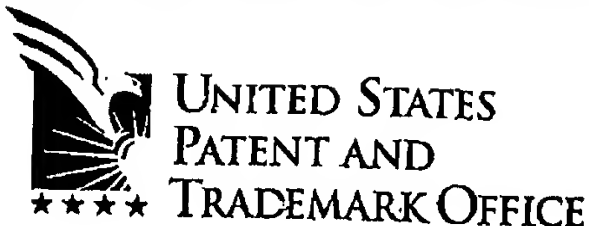
Gerard J. McGowan, Jr.

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JANUARY 08, 2002

UNILEVER PATENT DEPARTMENT
GERARD J. MCGOWAN
45 RIVER ROAD
EDGEWATER, NJ 07020

PTAS

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RECORDATION DATE: 10/19/2001

REEL/FRAME: 012284/0848
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

BAUER-PLANK, CHRISTINA

DOC DATE: 05/07/2001

ASSIGNOR:

VAN DEN KOMMER, MARCELLE

DOC DATE: 05/08/2001

ASSIGNOR:

SEGBERS, MARCEL CAROLINE HENRI

DOC DATE: 05/10/2001

ASSIGNEE:

LIPTON, DIVISION OF CONOPCO, INC.
800 SYLVAN AVENUE
ENGLEWOOD CLIFFS, NEW JERSEY 07632

SERIAL NUMBER: 09848988
PATENT NUMBER:

FILING DATE: 05/04/2001
ISSUE DATE:



012284/0848 PAGE 2

PAULA MCCRAY, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

10-30-2001

UNUS #Y2-0245-UNI; F7534(V)

RECORDATION FORM
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To the Honorable Comr

101889099

record the attached original documents or copy thereof.

1. NAME OF CONVEYING PARTY(IES):

Christina BAUER-PLANK
Marcelle VAN DEN KOMMER
Marcel Caroline Henri Maria SEGERS

10/19/01

2. NAME AND ADDRESS OF RECEIVING PARTY(IES):

NAME: Lipton, Division of Conopco, Inc.

STREET ADDRESS: 800 Sylvan Avenue

CITY: Englewood Cliffs

STATE: NJ

ZIP: 07632

ADDITIONAL NAME(S) OF CONVEYING PARTY(IES) ATTACHED?

YES [] NO [XX]

ADDITIONAL NAME(S) & ADDRESS(ES) ATTACHED?
YES [] NO [XX]

3. NATURE OF CONVEYANCE:

[XX] ASSIGNMENT [] SECURITY AGREEMENT [] MERGER [] CHANGE OF NAME [] OTHER
EXECUTION DATE: May 7, 2001; May 8, 2001; May 10, 2001

4. APPLICATION NUMBER(S) OR PATENT NUMBER(S): 09/848,988 FILED: May 4, 2001

IF THIS DOCUMENT IS BEING FILED TOGETHER WITH A NEW APPLICATION, THE EXECUTION DATE OF THE APPLICATION IS:

A. PATENT APPLICATION NO.(S): 09/848,988

B. PATENT NO.(S)

OCT 19 2001

ADDITIONAL NUMBERS ATTACHED? [] YES [XX] NO

5. NAME AND ADDRESS OF PARTY TO WHOM CORRESPONDENCE CONCERNING DOCUMENT SHOULD BE MAILED:
UNILEVER PATENT DEPARTMENT, 45 RIVER ROAD, EDGEWATER, NEW JERSEY 07020

6. TOTAL NUMBER OF APPLICATIONS AND PATENTS INVOLVED: 1

7. TOTAL FEE (37 CFR 3.41): \$40.00 [] ENCLOSED [XX] AUTHORIZED TO BE CHARGED TO DEPOSIT ACCOUNT
[XX] ANY DEFICIENCY OR OVERPAYMENT SHOULD BE CHARGED OR CREDITED TO DEPOSIT ACCOUNT 12-1155.

8. DEPOSIT ACCOUNT NUMBER: 12-1155 (Duplicate copy of this page is attached for payment by deposit account)

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TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE FOREGOING INFORMATION IS TRUE AND CORRECT AND ANY ATTACHED COPY IS
A TRUE COPY OF THE ORIGINAL DOCUMENT.GERARD J. MCGOWAN, ATTORNEY FOR APPLICANT(S)
REGISTRATION NO. 29,412

10/15/01

DATE

TOTAL NUMBER OF PAGES COMPRISING COVER SHEET, ATTACHMENTS, AND DOCUMENT: 4

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01 FC:581 40.00 CH

ASSIGNMENT

F 7534 (V)

WHEREAS, We Christina BAUER-PLANK and Marcelle van den KOMMER both of Unilever Research Vlaardingen Laboratory, Olivier van Noortlaan 120, 3133 AT Vlaardingen, The Netherlands

Marcel Caroline Henri Maria SEGERS of Van den Bergh Nederland BV, Nassaukade 3, 3071 JL Rotterdam, The Netherlands

have invented certain improvements in: **Pourable frying composition**

(bearing Attorney's Docket Number: **F 7534 (V)**), which is found in

[Check and complete (a), (b) or (c)]

(a) _____ U.S. patent application executed on _____

(b) X To comply with 37 CFR 3.21 for recordal of this assignment, I/WE as ASSIGNOR(S) signing below, hereby authorize and request my/our attorney, as named in the Declaration and Power of Attorney to insert below the filing date and application number when it becomes known.

U.S. application Serial No. 09/848988 filed on 4 May 2001

(c) _____ International Application No. PCT/ _____ / _____

AND WHEREAS, LIPTON, DIVISION OF CONOPCO, INC., a corporation of NEW YORK having a principal place of business at 800 SYLVAN AVENUE, ENGLEWOOD CLIFFS, NEW JERSEY 07632 desires to acquire the entire right title and interest in and to the aforesaid invention, and to said United States application or any reissues, divisions, continuation, or continuation-in-part thereof, and in any Letters Patent which may issue therefrom;

NOW, THEREFORE, in consideration of one dollar (\$1.00) and other good and valuable consideration in hand paid, the receipt and sufficiency of which is hereby acknowledged, I/We, the undersigned, hereby sell, assign and transfer to the aforesaid LIPTON, DIVISION OF CONOPCO, INC., its successors and assigns, the entire right, title and interest in and to the said application and invention therein disclosed for the United States, and in and to any and all divisional, continuation, continuation-in-part, reissue or other applications describing said invention or improvements thereon, and in and to any and all Letters Patent of the United States which may issue from said applications or any of them, the same to be held by and for the sole and exclusive use and benefit of the said LIPTON, DIVISION OF CONOPCO, INC., its successors and assigns.

AND I/We do hereby authorize and request the Commissioner of Patents to issue the said Letters Patent of the United States to said LIPTON, DIVISION OF CONOPCO, INC., as the ASSIGNEE of the entire right, title and interest in and to the same.

AND I/We do hereby agree to assist said **LIPTON, DIVISION OF CONOPCO, INC.**, in the prosecution of any and all said applications and in the prosecution of any and all interferences or other proceedings which may arise involving said invention, and to execute and deliver any powers of attorney, affidavits, assignments, applications, reissues, documents, or other written instruments which, in the opinion of counsel for said **LIPTON, DIVISION OF CONOPCO, INC.**, its successors and assigns, may be necessary in this country fully to secure to said **LIPTON, DIVISION OF CONOPCO, INC.**, its successors and assigns, any and all said applications, inventions, improvements, Letters Patent, rights, titles, and interests hereby sold, assigned, transferred and conveyed.

In witness whereof, I/we have hereunto set my/our hand

Dated: 7 May 2001 (1) Christina Bauer-Plank
Inventor - Christina BAUER-PLANK

Dated: 8 May 2001 (2) Marcelle van den Kommer
Inventor - Marcelle VAN DEN KOMMER

Dated: 10 May 2001 (3) Maieel Segers
Inventor - Marcel Caroline Henri Maria SEGERS

Notarise & Apostille



Seen by me, Victor Joseph Antonius Johannes Clemens van Heeswijk, civil law notary in Rotterdam, the Netherlands, for legalisation of the signatures placed on the attached document of: -

- Mrs Christina Bauer-Plank, c/o Unilever Research Vlaardingen, Olivier van Noortlaan 120, 3133 AT Vlaardingen, the Netherlands;
- Mrs Marcelle van den Kommer, c/o Unilever Research Vlaardingen, Olivier van Noortlaan 120, 3133 AT Vlaardingen, the Netherlands; and
- Mr Marcel Caroline Henri Maria Segers, c/o Van den Bergh Nederland B.V., Nassaukade 3, 3071 JL Rotterdam, the Netherlands.

Rotterdam, 23 May 2001



APOSTILLE

(Convention de La Haye du 5 Octobre 1961)

1. Country: The NETHERLANDS

This public document

2. has been signed by mr V.J.A.J.C. van Heeswijk

3. acting in the capacity of notary

4. bears the stamp of mr V.J.A.J.C. van Heeswijk
Certified

5. at ROTTERDAM 6. on 28/05/2001

7. by the clerk of the District Court
(Griffier van de Arrondissementsrechtbank)

N° 108272

Stamp:

10. Signature: